



Indiana Pro Bono Commission
230 East Ohio Street, 4th Floor
Indianapolis, IN 46204

Indiana Bar Foundation
230 East Ohio Street, Suite 110
Indianapolis, IN 46204

COMBINED 2002 DISTRICT REPORT, 2004 PRO BONO GRANT APPLICATION, AND 2004 PLAN

Pro Bono District One

Applicant: Judith H. Stanton

Mailing Address: PO Box 427, 651 E. Third St.

City: Hobart, **IN** **Zip:** 46342-2447

Phone: 219/945-1799 **Fax:** 219/945-0995

E-mail address: probono@hobartlaw.net **Web site address:** NA

Judicial Appointee: The Honorable William E. Davis

Plan Administrator: Judith H. Stanton

Names of Counties served: Lake, Porter, LaPorte, Newton, Jasper, Pulaski and
Starke

Amount of grant received for 2002: \$113,780.00

*** Amount of grant unused from 2002 and previous years:** \$ 43,625.50

*** Amount of grant unused but committed to expenses in 2003:** \$ 43,625.50

Amount of grant received for 2003: \$ 51,460.00

Amount requested for 2004: \$ 112,050.00

*** Please submit request for approval to the Indiana Bar Foundation.**

The following representations, made to the best of our knowledge and belief, are being provided to the Indiana Pro Bono Commission and Indiana Bar Foundation in anticipation of their review and evaluation of our funding request and our commitment and value to our Pro Bono District.

Operation under Rule 6.5

In submitting this application for funding, this district is representing itself as having a Pro Bono Plan, which is pursuant to Rule 6.5 of the Indiana Rules of Professional Conduct. The plan enables attorneys in our district to discharge their professional responsibilities to provide civil legal pro bono services; improves the overall delivery of civil legal services to persons of limited means by facilitating the integration and coordination of services provided by pro bono organizations and other legal assistance organizations in our district; and ensures access to high quality and timely pro bono civil legal services for persons of limited means by (1) fostering the development of new civil legal pro bono programs where needed and (2) supporting and improving the quality of existing civil legal pro bono programs. The plan also fosters the growth of a public service culture within the our district which values civil legal pro bono publico service and promotes the ongoing development of financial and other resources for civil legal pro bono organizations.

We have adhered to Rule 6.5 (f) by having a district pro bono committee composed of:

- A. the judge designated by the Supreme Court to preside;
- B. to the extent feasible, one or more representatives from each voluntary bar association in the district, one representative from each pro bono and legal assistance provider in the district, and one representative from each law school in the district; and
- C. at least two (2) community-at-large representatives, one of whom shall be a present or past recipient of pro bono publico legal services.

We have determined the governance of our district pro bono committee as well as the terms of service of our members. Replacement and succession members are appointed by the judge designated by the Supreme Court.

Pursuant to Rule 6.5 (g) to ensure an active and effective district pro bono program, we:

- A. prepare in written form, on an annual basis, a district pro bono plan, including any county sub-plans if appropriate, after evaluating the needs of the district and making a determination of presently available pro bono services;
- B. select and employ a plan administrator to provide the necessary coordination and administrative support for the district pro bono committee;
- C. implement the district pro bono plan and monitor its results;
- D. submit an annual report to the Commission; and
- E. forward to the Pro Bono Commission for review and consideration any requests which were presented as formal proposals to be included in the district plan but

were rejected by the district committee, provided the group asks for review by the Pro Bono Commission.

Commitment to Pro Bono Program Excellence

We also understand that ultimately the measure of success for a civil legal services program, whether a staffed or volunteer attorney program, is the outcomes achieved for clients, and the relationship of these outcomes to clients' most critical legal needs. We agree to strive for the following hallmarks which are characteristics enhancing a pro bono program's ability to succeed in providing effective services addressing clients' critical needs.

1. Participation by the local bar associations. The associations believe the program is necessary and beneficial.

2. Centrality of client needs. The mission of the program is to provide high quality free civil legal services to low-income persons through volunteer attorneys. Client needs drive the program, balanced by the nature and quantity of resources available. The staff and volunteers are respectful of clients and sensitive to their needs.

3. Program priorities. The program engages in a priority-setting process, which determines what types of problems the program will address. Resources are allocated to matters of greatest impact on the client and are susceptible to civil legal resolution. The program calls on civil legal services and other programs serving low-income people to assist in this process.

4. Direct representation component. The core of the program is direct representation in which volunteer attorneys engage in advocacy on behalf of low-income persons. Adjunct programs such as advice clinics, pro se clinics and paralegal assistance are dictated by client needs and support the core program.

5. Coordination with state and local civil legal service programs and bar associations. The programs work cooperatively with the local funded civil legal services programs. The partnerships between the civil legal services programs and the local bar association results in a variety of benefits including sharing of expertise, coordination of services, and creative solutions to problems faced by the client community.

6. Accountability. The program has mechanisms for evaluating the quality of service it provides. It expects and obtains reporting from participating attorneys concerning the progress/outcome of referred cases. It has the capability to demonstrate compliance with requirements imposed by its funding source(s), and it has a grievance procedure for the internal resolution of disputes between attorneys and clients.

7. Continuity. The program has a form of governance, which ensures the program will survive changes in bar leadership, and has operational guidelines, which enable the program to survive a change in staff.

8. Cost-effectiveness. The program maximizes the level of high quality civil legal services it provides in relationship to the total amount of funding received.

9. Minimization of barriers. The program addresses in a deliberate manner linguistic, sensory, physical and cultural barriers to clients' ability to receive services from the program. The program does not create undue administrative barriers to client access.

10. Understanding of ethical considerations. The program operates in a way which is consistent with the Rules of Professional Conduct; client confidentiality is assured and conflicts of interest are avoided.

11. ABA Standards. The program is designed to be as consistent with the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means as possible.

No events, shortages or irregularities have occurred and no facts have been discovered which would make the financial statements provided to you materially inaccurate or misleading. To our knowledge there is nothing reflecting unfavorably upon the honesty or integrity of members of our organization. We have accounted for all known or anticipated operating revenue and expense in preparing our funding request.

We agree to provide human-interest stories promoting Pro Bono activities in a timely manner upon request of the Indiana Bar Foundation or Indiana Pro Bono Commission. We further agree to make ourselves available to meet with the Pro Bono Commission and/or the Indiana Bar Foundation to answer any questions or provide any material requested which serves as verification/source documentation for the submitted information.

Explanation of items stricken from the above Letter of Representation:

It is understood that this Letter does not replace the Grant Agreement or other documents required by the Indiana Bar Foundation or Indiana Pro Bono Commission.

Signatures:

Judicial Appointee Signature

Date

Plan Administrator Signature

Date

2002 REPORT AND 2004 PLAN SUMMARIES

- 1. In 125 words or less, please write a brief summary of your District's 2002 progress suitable for use in press releases.**

In the seven counties of District One, ninety-five attorneys accepted referral of 132 cases with urgent civil legal needs. Nearly 500 hours of attorney time, conservatively valued at \$75,000, were documented, not counting cases which remained open at the end of 2002. Additionally, Courts appointed District One attorneys in 74 cases. These attorneys handled 31 mediations, and acted as Guardians-ad-litem for children involved in serious domestic disputes in 43 cases, reporting over 654 volunteer hours, worth at least \$100,000.

An additional 76 individuals were provided information and advice by the District One office after a review of their applications for assistance.

Referral sources included Indiana Legal Services offices, domestic violence shelters, other attorneys, the Circuit court domestic relations bureau, word of mouth and internet websites.

- 2. In 125 words or less, please write a brief summary of the 2004 grant request suitable for use in press releases related to any grant award. Suggested areas to cover are: needs to be addressed, methods, target audience, and anticipated outcomes.**

Civil legal needs of the poor in the First District continue to mount with unemployment and economic stagnation. Courts are inundated with pro se litigants who have little idea of legal procedure filing forms readily available via the internet. Handicapped individuals and those whose English is minimal have special needs when attempting to access the justice system.

For 2004 we intend to:

1. Continue attorney recruitment, collaborating with our many bar associations;
2. Continue outreach to social service agencies and other referral sources;
3. Recruit law firms to "adopt" centers such as domestic violence/homeless shelters, providing regular legal advice/referrals to their clients;
4. Collaborate with our courts to assist pro se litigants.
5. Continue litigation support, CLE opportunities and other recognition to our volunteers.

2002 REPORT

In the next two pages, describe your District's 2002 achievements and activities in relation to the plan approved for 2002 funding. It is permissible to include a relevant number of appendices to further describe 2002 achievements. Please number and reference the appendices.

Implementation of our District One plans for 2002 was slowed by the terminal illness and ultimate death of the Plan Administrator's spouse which limited her time in the office for weeks at a time during the first half of the year and took her mostly out of the office during the latter part of July, all of August, and at least half of September. Despite this handicap we provided pro bono services to 132 clients and documented nearly 500 volunteer attorney hours in cases closed in 2002, plus the hours in ongoing cases.

The District One Plan for 2002, completed June 30, 2001, focused on four areas: Barriers to Accessing Services; Attorney Recruitment/Motivation Issues; Lack of Self-Help Information and Procedures; and Lack of Appreciation by the Public and Practicing Bar for the Work of Pro Bono Volunteer Attorneys.

Our plan for addressing Barriers to Accessing Services included expanding the areas of law to be serviced by both ILS and pro bono attorneys, encouraging realistic locations for attorney/client communications, and developing mechanisms for overcoming language/communication barriers. In all three of these areas we planned to work closely with Indiana Legal Services. Towards these goals District One co-sponsored and helped to facilitate the ILS regional priority setting town meeting for district One, which took place at Indiana University Northwest in early 2002. **See Appendix 1.** We also obtained the commitment of the Lake County Bar Association bankruptcy section to assist with community legal education seminars on consumer issues, an area which was identified as a primary legal need at the priority session. **See Appendix 2.** In collaboration with the Hammond Civil Rights Commission we conducted seminars on predatory lending and consumer bankruptcy at Greater Hammond Community Services and at the Ophelia Steen Community Center, both in Hammond. **See Appendix 3.** At both events we had the availability of Spanish speaking resource persons. We also provided interpreter services for two hearing impaired clients working with volunteer attorneys and participated in the planning for the statewide Talk to a Lawyer Today event which occurred in early 2003. **See Appendix 4.**

In addressing Attorney Recruitment/Motivation Issues we continued to encourage the Bar Associations and judiciary in our seven counties to endorse the aspirational goal that attorneys perform fifty pro bono hours annually. In addition to endorsements of this goal received in 2001 from Lake County Bar Associations and judges, similar resolutions were obtained from the Porter County Bar Association, the Lake and Porter County Inns of Court, and the Superior and Circuit Court Judges of Jasper, Newton and Starke Counties (see appendices to 2001/2002 Report and Plan). The total number of attorneys on our volunteer panel increased from 148 at June 30, 2002 to 239 by the end of 2002. We also coordinated with Lake Circuit Court, Lake Superior Court Room Two and Porter Circuit Court in documenting the volunteer hours donated by Court appointed counsel, Guardians ad Litem and mediators and provided all our courts with forms for referring clients to Indiana Legal Services where appropriate. **See Appendix 5.**

2002 REPORT, CONTINUED

In regard to Self-Help Legal Information and Procedures, our original 2002 plan prepared in June, 2001, assumed that District One would play a part in developing actual pro se materials and procedures. With the implementation of the Indiana Supreme Court and Indiana Legal Services pro se web sites, however, we focused on beginning a dialogue with our local bench and bar associations about how best to interface with the growing number of pro se litigants. We also began gathering information about “pro se desk” models from the ABA and NLADA sources around the country which we hope will lead to making better use of the Indiana Supreme Court and Indiana Legal Services pro se web sites by Indiana citizens and to appropriate support by the private bar for court staffs who deal with pro se litigants.

Finally, through attendance at local Bar meetings and submissions to Bar newsletters and the Indiana Law Journal we provided information for attorneys on how the pro bono plan is being implemented in District One and began recognizing First District volunteers. **See Appendix 6.** By the end of 2002 we were about to put on our first CLE opportunity for volunteer attorneys, **See Appendix 7,** and were in the preliminary stages of planning for our first major volunteer recognition event.

Despite all of the efforts of the District One Committee and staff, however, the need for Access to Justice in District One continues to significantly outstrip the number of willing volunteers, particularly in our more populous counties. While we feel we are making progress in developing a volunteer culture among our attorneys, the curtailment of some services by Indiana Legal Services due to the funding shifts resulting from federal formulas related to the 2000 census has made even greater the gap between legal needs and opportunities for access to the justice system at all levels!

2002 VOLUNTEER LAWYER ACTIVITY				
Legal Service Provider Agency or Organization (Include Bar Associations)	Number of Participating Volunteer Lawyers	Number of Volunteer Lawyer Hours Reported on Cases Closed in 2002	Number of Open Volunteer Lawyer Cases	Number of Low-income Citizens Receiving Limited Legal Information from Volunteer Lawyers*
First District	108	493.53	132	6
Indiana Legal Services, Inc.	39**	185.50	61	0
**some overlap with				
First District Lawyers				

*This category includes Volunteer Lawyer public outreach to low income citizens for a one-time, limited contact such as call-in or walk-in information services, pro-se clinics and panel presentations. Please put in parentheses the number of citizens whose income was not determined.

Definitions:

Case: A legal matter referred to a pro bono attorney volunteer

Participating Volunteer Lawyer: An attorney who has rendered pro bono service to at least one low-income client during the year or accepted a pro bono referral from the identified program.

2002 VOLUNTEER LAWYER ACTIVITY, CONTINUED *

Please list any volunteer lawyer activity category utilized by the organization receiving Pro Bono funding which was not included in the previous table. Include the definition and 2002 statistics for the category.

1. In addition to the cases assigned to volunteer attorneys, our Plan Administrator screened, advised and referred an additional 76 clients in the following categories:

Consumer/Finance:	37
Family:	23
Wills, Estates &Guardianships	9
Housing	<u>13</u>
Total:	76

2. We also monitored pro bono cases assigned by our local courts. These included:

GAL: 43	25 attorneys:	623.68 hours reported to date
MED: <u>31</u>	20 attorneys:	<u>31.10 hours reported to date</u>
Total: 74 cases		654.78 hours to date

3. First District attorneys reported the following pro bono work which they performed in 2002 for clients who approached them directly:

Not-for-profit organizations:	16	272 hours
Paternity cases:	4	12 hours
POA:	2	4 hours
Protective Order	1	7 hours
Soc.Sec.Disab.	1	15 hours
Unemployment	1	12 hours
civil rights	<u>1</u>	<u>205 hours</u>
Total:	26 cases	527 hours

In order to make reporting more consistent and concise in the future, please list the various categories used by legal service providers in your district for recording volunteer lawyer activity. Define each category. (If more than one agency or organization has the same category and definition, please list it once, indicating the number of organizations using the category.)

See attached ILS category chart and First District Volunteer Sign-Up Sheet. Appendix 8

2002 VOLUNTEER LAWYER ACTIVITY BY TYPE OF CASE

Number Of Lawyers Participating In Pro Se Clinics, Call-In Services And Other Limited Informational Activities in 2002: First District Pro Bono Committee, Inc. 7.

Type Of Case (Primary Issue)	Total Of All District Legal Service Pro- vider Active Cases Assigned To And Accepted By A Volunteer Lawyer.
Consumer/Finance	59
Education	0
Employment	0
Family	53
Guardianship	0
Juvenile	0
Health	0
Housing	1
Immigration/Naturalization	1
Income Maintenance	0
Individual Rights	0
Mediation	0
Wills & Estates	10
Other (specify) NFP Organizations	2
Total Number of Cases	126

2004 PLAN AND REQUEST

In the following two pages, describe items or activities planned for 2004 for which funding is requested.

If a special event, such as a pro se clinic, volunteer banquet, or Continuing Legal Education seminar is planned, please include the total projected cost of the event in parenthesis at the end of the descriptive paragraph.

In 2004, in addition to our fundamental role and the enormous task of recruiting attorneys, screening and assigning legal matters, and monitoring progress and volunteer hours in a District which has the second largest number of potentially eligible clients in the state, District One plans to continue:

- 1 . Encouraging addition to the oath taken by Indiana attorneys of express language related to the professional responsibility to do pro bono work.
2. Meeting regularly with District One Bar associations and contributing articles about pro bono to Bar newsletters, the Indiana Lawyer, and other media.
3. Providing pro bono information and community legal education presentations and materials to social service agencies, court staffs, and the general public
4. Providing litigation support and low-cost CLE opportunities to our volunteer attorneys (estimated cost for fees and materials: (\$4000.00.)
5. Collaborating with local courts in establishing locally appropriate support to pro se litigants at our civil courts. (estimated copying/printing: \$1000.00)
6. Recruiting law firms and attorneys to “adopt” domestic violence and homeless shelters, soup kitchens, food pantries, and other social service entities and agree to provide regular opportunities for legal information and limited advice.
7. Devoting the month of May to publicizing the contributions of pro bono volunteer attorneys, conducting special volunteer recruitment efforts, and providing a volunteer recognition event, hopefully at the U.S. Steel Yard/RailCats Stadium or similar venue. (estimated cost \$4000.00)

2004 PLAN AND REQUEST, CONTINUED

2004 PRO BONO DISTRICT ACTIVITIES

Please check the activities, which your district organization will provide during 2004 to support the pro bono efforts of the attorneys in your district. If the activity is provided by another organization in your district, please put a plus sign (+) in the blank following the activity.

- ☒ Providing intake and screening of prospective clients _____
- ☒ Providing referral of prospective clients _____
- ☒ Matching cases with individual attorney experience _____
- ☒ Establishing and/or maintaining specialized panels of volunteer lawyers based on area of practice emphasis _____
- ☒ Providing resources for litigation and out-of-pocket expenses _____
- ☒ Providing legal education and training for pro bono attorneys in areas of practice emphasis useful in providing pro bono civil legal service _____
- ☒ Providing the availability of consultation with attorneys whose practice concentration is in an area of law about which a volunteer lawyer is providing pro bono civil legal service (mentoring) _____
- ☒ Providing malpractice insurance for volunteer pro bono lawyers _____
- ☒ Establishing and/or maintaining procedures to ensure adequate monitoring and follow-up _____
- ☒ Establishing and/or maintaining procedures to measure client satisfaction _____
- ☒ Recognizing pro bono civil legal service by lawyers _____
- ☒ Providing community outreach, legal education services or programs _____
- ☒ Other Assisting pro se litigants at Lake Circuit and other interested courts _____
- ☒ Other Recruiting Law Firms to "adopt" shelters and other similar locations and provide legal information and advice _____

2004 PRO BONO DISTRICT ACTIVITIES, continued

1. List the joint efforts, activities or programs in which your district organization will be involved. Please include the name of the other organization(s), a brief description of the activity and a description of the resources provided to the effort by all participating organizations.

Establishment of 'pro se' desks: Lake Circuit Court, as a pilot project, will provide space, computer, and assign a staff person to assist as needed. We will assume duplicating/printing expenses.

CLE opportunities: bar association will arrange for space and assist in informing attorneys and obtaining registrations; we will provide manuals, refreshments.

"Talk to a Lawyer" Days: bar associations will arrange for space and assist in recruiting volunteers to staff the event, we will provide materials.

2. Number of cases in your district awaiting assignment to a Volunteer Pro Bono Attorney as of the date this report is prepared: 35
3. Percentage estimate of the types of cases awaiting assignment:
Family 51%; Consumer 37%; Wills/Estates/Guardianships 14%; Housing 6%; CHINS .03%;
Landlord/Tenant .03%; SSI .03%
4. List the efforts that will be made to recruit new pro bono volunteer lawyers:

By personal contacts; by mail, by regular newsletter columns, CLE opportunities and recognition articles and events; by presentations at bar meetings and law related events; by visits to law firms and key members of the profession; by twisting arms, by cold-calling; and—when the proposed additional wording regarding pro bono obligations for the oath of attorneys is published for comment—by encouraging the profession to support the proposed change; and by any and all other methods which can be discovered, devised, or done!.

[Adoption of some form of mandatory reporting of pro bono activities would make recruiting attorneys and tracking progress of cases much less time-consuming!!]

We hope that the Indiana Supreme Court and other judiciary will continue to communicate to the Bar the importance and expectation of substantial pro bono service, most especially acceptance of cases which require more than minor effort and the applicability of the Rules of Professional Conduct, especially in the areas of diligence and respectful treatment of clients.

2004 DISTRICT BUDGET FORM

COST CATEGORY	IOLTA \$	OTHER \$	DONATED	TOTAL	2003 Revised & Estimated
A. Personnel Costs					
1. Plan Administrator	70,000			70,000	70,000
2. Lawyers	-0-				-0-
3. Paralegals	-0-				-0-
4. Others	-0-				-0-
5. Salary Subtotal	70,000			70,000	70,000
6. Employee Benefits	5,650			5,650	5,650
7. Total Personnel Costs	75,650			75,650	75,650
B. Non Personnel					
1. Occupancy	9,600			9,600	9,600
2. Equipment Rental/Service	600			600	600
3. Office Supplies	2000			2000	1500
4. Telephone	3,500			3,500	3,500
5. Travel	2,000			2,000	1,500
6. Training	2,600			2,600	2,600
7. Library	-0-				-0-
8. Malpractice Insurance	2,000			2,000	1,500
9. Dues and Fees	100			100	50
10. Audit	2,500			2,500	2,500
11. Contingent Reserve Fund for Operating Expenses	-0-			-0-	-0-
12. Marketing and Promotion	7,500			7,500	5,000
13. Litigation (Includes Expert Fees)	2,500			2,500	2,500
14. Property Acquisition	-0-			0	-0-
15. Purchase Payments (Equipment)	500			500	0
16. Contract Services to Clients	-0-			0	-0-
17. Contract Services to Program	-0-			0	-0-
18. Other(malpr deductible)	1000			1000	1000
19. Total Non Personnel	36,400			36,400	30,850
C. Total Expenditures	112,050			112,050	107,500
1. Total Program Disbursements	112,050			112,050	107,500
2. Litigation Fund *	1000			1000	1000

*Reserves in this category are not required to be resubmitted to the IBF if not spent during the allocation calendar year.

ANNUAL TIMETABLE FOR SUBMISSION OF FORMS AND CHECKS:

January 1:	Checks distributed
July 1:	Annual report, plan and grant application due to IPBC
November:	Notification of awards
December 1:	IBF grant agreement due and revised budget due (as needed)